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[Constitution as of July, 1947]

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CONSTITUTION

(FUNDAMENTAL LAW)

of the

BYELORUSSIAN SOVIET SOCIALIST REPUBLIC

of December 23, 1936

As Amended through July 11, 1947

April 1950 50¢

American Russian Institute

58 Park Avenue New York 16, New York

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C O N S T I T U T I O N
(Fundamental Law)

of the

BYELORUSSIAN
(BELORUSSIAN)

SOVIET SOCIALIST

REPUBLIC

of December 23, 1936

As amended through July 11, 1947

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Byelorussian SSR Errata 7, 7, 8 "Personal" not "Private".
(43a - Art. 43a)
43a, before "Ministries" insert "Republican and Union-Republican"; delete "economic and cultural". 120, after "SSR" should be "below".

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CONSTITUTION (FUNDAMENTAL LAW) OF THE BELORUSSIAN SOVIET SOCIALIST REPUBLIC

Chapter I. The Social Structure

642 Art. 1. The Belorussian Soviet Socialist Republic is a socialist state of workers and peasants.

Art. 2. The Soviets of Working People's deputies, which grew and attained strength as a result of the overthrow of the landlords and capitalists, the achievement of the dictatorship of the proletariat, the liberation of the Belorussian people from national oppression by tsarism and by the Russian imperialist bourgeoisie and the destruction of the Belorussian nationalist counter-revolution, constitute the political foundation of the Belorussian Soviet Socialist Republic.

Art. 3. In the Belorussian SSR all power belongs to the working people of town and country as represented by the Soviets of Working People's Deputies.

471 Art. 4. The socialist system of economy and the socialist ownership of the means and instruments of production firmly established as a result of the abolition of the capitalist system of economy, the abrogation of private ownership of the means and instruments of production and the elimination of the exploitation of man by man, constitute the economic foundation of the Belorussian SSR.

421 Art. 5. Socialist property in the Belorussian SSR exists either in the form of State property (the possession of the whole people) or in the form of co-operative and collective farm property (property of a collective farm or property of a co-operative association).

475 Art. 6. The land, its natural deposits, waters, forests, mills, factories,
421 mines, rail, water and air transport, banks, communications, large State-organised agricultural enterprises (State farms, machine and tractor stations and the like), as well as municipal enterprises and the bulk of dwelling houses in the cities and industrial localities, are State property, that is, belong to the whole people.

421 Art. 7. The common enterprise of collective farms and co-operative organiza-
474 tions, with their live stock and implements, and the products of the collective farms and co-operative organizations, as well as their common buildings, constitute the common socialist property of the collective farms and co-operative organizations.

[472] In addition to its basic income from the public collective farm enterprise, every household in a collective farm has for its private use a small plot of land attached to the dwelling and, as its private property, a subsidiary establishment on the plot, a dwelling house, live stock, poultry and minor agricultural implements -- in accordance with the Rules of the Agricultural Artel.

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474 Art. 8. The land occupied by collective farms is secured to them for their use free of charge and for an unlimited time, that is, in perpetuity.

472 Art. 9. Alongside the socialist system of economy, which is the predominant form of economy in the Belorussian SSR, the law permits the small private economy of individual peasants and handicraftsmen, based on their personal labour and precluding the exploitation of the labour of others.

421 Art. 10. The right of citizens to personal ownership of their incomes from work and of their savings, of their dwelling houses and subsidiary household

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421 economy, their household furniture and utensils and articles of personal use and convenience, as well as the right of inheritance of personal property of citizens, is protected by law.

185 471 Art. 11. The economic life of the Belorussian SSR is determined and directed by the State national economic plan with the aim of increasing the public wealth, of steadily improving the material conditions of the working people and raising their cultural level, of strengthening the Belorussian SSR, and of consolidating the independence of the Union of Soviet Socialist Republics and strengthening its defensive capacity.

461 Art. 12. In the Belorussian SSR work is a duty and matter of honour for every able-bodied citizen, in accordance with the principle: "He who does not work, neither shall he eat."

The principle applied in the Belorussian SSR is that of socialism: "From each according to his ability, to each according to his work."

Chapter II. The State Structure

631 Art. 13. For the purpose of mutual assistance among the Union Republics along economic and political lines, as well as along the line of defence, the Belorussian Soviet Socialist Republic voluntarily united with the other equal Soviet Socialist Republics, namely:

The Russian Soviet Federative Socialist Republic,
The Ukrainian Soviet Socialist Republic,
The Uzbek Soviet Socialist Republic,
The Kazakh Soviet Socialist Republic,
The Georgian Soviet Socialist Republic,
The Azerbaijan Soviet Socialist Republic,
The Lithuanian Soviet Socialist Republic,
The Moldavian Soviet Socialist Republic,
The Latvian Soviet Socialist Republic,
The Kirghis Soviet Socialist Republic,
The Tajik Soviet Socialist Republic,
The Armenian Soviet Socialist Republic,
The Turkmen Soviet Socialist Republic,
The Estonian Soviet Socialist Republic and
The Karelo-Finnish Soviet Socialist Republic

in a federal state, the Union of Soviet Socialist Republics.

Proceeding from the aforesaid, the Belorussian SSR ensures to the USSR, as represented by its higher organs of state power and organs of state administration, the rights defined in Article 14 of the Constitution of the USSR.

Outside of the spheres set forth in Article 14 of the Constitution of the USSR, the Belorussian SSR exercises state authority independently, retaining its sovereign rights in full.

Art. 14. The Belorussian Soviet Socialist Republic consists of the Baranovichi, Bobruisk, Brest, Vitebsk, Gomel, Grodno, Minsk, Mogilev, Molodechno, Pinsk, Polessye and Polotsk Regions.

642 Art. 15. The Belorussian Soviet Socialist Republic reserves the right freely to secede from the Union of Soviet Socialist Republics.

Art. 16. The territory of the Belorussian SSR may not be altered without its consent.

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642 [701] Art. 18a. The Belorussian Soviet Socialist Republic has its own Republican military formations.

[646] Art. 18b. The Belorussian Soviet Socialist Republic has the right to enter into direct relations with foreign states and to conclude agreements and exchange diplomatic and consular representatives with them.

Art. 17. The laws of the USSR are binding within the territory of the Belorussian SSR.

[641] Art. 18. Every citizen of the Belorussian SSR is a citizen of the USSR.

Citizens of all other Union Republics enjoy on the territory of the Belorussian SSR equal rights with citizens of the Belorussian SSR.

Art. 19. The jurisdiction of the Belorussian Soviet Socialist Republic, as represented by its higher organs of state power and organs of state administration, embraces:

a) Adoption of the Constitution of the Belorussian SSR and control over its observance;

b) Establishment of the boundaries, and of the division into districts, of regions; submission of the formation of new regions constituting part of the Belorussian SSR to the Supreme Soviet of the USSR for confirmation;

c) Legislation of the Belorussian SSR;

d) Maintenance of public order and safeguarding the rights of citizens;

e) Approval of the national-economic plan of the Belorussian SSR;

f) Approval of the state budget of the Belorussian SSR and of the report on its fulfilment;

g) Determination of state and local taxes, imposts and non-tax revenues in conformity with the laws of the USSR; direction of the fulfilment of the local budgets of the regions;

h) Direction of insurance and savings;

i) Administration of the banks, industrial, agricultural and trading enterprises and organisations subordinate to the Republic, as well as direction of local industry;

j) Control and superintendence of the condition and administration of enterprises subordinate to the Union;

k) Establishment of the procedure governing the use of land, mineral wealth, forests and waters;

l) Direction of dwelling houses and the municipal economy, dwelling house construction and the modernisation of cities and other inhabited places;

m) Road building; direction of local transport and communications;

n) Labour legislation;

o) Direction of social maintenance;

p) Direction of elementary, secondary and higher education;

q) Direction of the cultural, educational and scientific organisations and institutions of the Belorussian SSR, and administration of the cultural, educational and scientific organisations and institutions of all-Republican importance;

r) Direction of public health and administration of public health institutions of Republican importance;

s) Direction and organisation of physical culture and sports;

t) Organisation of the judicial organs of the Belorussian SSR;

u) Granting the rights of citizenship of the Belorussian SSR;

v) Amnesty and pardon of citizens convicted by judicial organs of

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642 the Belorussian SSR;
w) Establishment of the representation of the Belorussian SSR in international relations;
x) Organization of the military formations of the Belorussian SSR;
y) Legislation concerning marriage and the family.

Chapter III. The Higher Organs of State Power in the Belorussian Soviet Socialist Republic

646 Art. 20. The highest organ of state power in the Belorussian SSR is the Supreme Soviet of the Belorussian SSR.

Art. 21. The Supreme Soviet of the Belorussian SSR is elected for a term of four years by the citizens of the Belorussian SSR voting by election districts on the basis of one deputy for every 20,000 of the population.

Art. 22. The Supreme Soviet of the Belorussian SSR exercises all rights vested in the Belorussian SSR in accordance with Article 18 and 19 of the Constitution of the Belorussian SSR, insofar as they do not, by virtue of the Constitution, come within the jurisdiction of organs of the Belorussian SSR that are accountable to the Supreme Soviet of the Belorussian SSR, that is, the Presidium of the Supreme Soviet of the Belorussian SSR, the Council of Ministers of the Belorussian SSR, and the Ministries of the Belorussian SSR.

Art. 23. The Supreme Soviet of the Belorussian SSR is the sole legislative organ of the Belorussian SSR.

Art. 24. A law is considered adopted if passed by the Supreme Soviet of the Belorussian SSR by a simple majority vote.

Art. 25. Laws passed by the Supreme Soviet of the Belorussian SSR are published in the Belorussian and Russian languages over the signatures of the President and Secretary of the Presidium of the Supreme Soviet of the Belorussian SSR.

Art. 26. The Supreme Soviet of the Belorussian SSR elects a Chairman of the Supreme Soviet and four Vice-Chairmen.

Art. 27. The Chairman of the Supreme Soviet of the Belorussian SSR presides at the sittings of the Supreme Soviet of the Belorussian SSR and has charge of the conduct of its business and proceedings.

643 646 Art. 28. Sessions of the Supreme Soviet of the Belorussian SSR are convened by the Presidium of the Supreme Soviet of the Belorussian SSR twice a year.

Extraordinary sessions are convened by the Presidium of the Supreme Soviet of the Belorussian SSR at its discretion or on the demand of one-third of the deputies to the Supreme Soviet of the Belorussian SSR.

Art. 29. The Supreme Soviet of the Belorussian SSR elects the Presidium of the Supreme Soviet of the Belorussian SSR, consisting of a President of the Presidium of the Supreme Soviet of the Belorussian SSR, two Vice-Presidents, a Secretary of the Presidium and fifteen members of the Presidium of the Supreme Soviet of the Belorussian SSR.

Art. 30. The Presidium of the Supreme Soviet of the Belorussian SSR is accountable to the Supreme Soviet of the Belorussian SSR for all its activities.

643 Art. 31. The Presidium of the Supreme Soviet of the Belorussian SSR:
a) Convenes the sessions of the Supreme Soviet of the Belorussian SSR;
b) Gives interpretation of laws; issues decrees;
c) Gives interpretations of the laws of the Belorussian SSR in operation;
d) Conducts nation-wide polls (referendums);
e) Annuls decisions and orders of the Council of Ministers of [645] the Belorussian SSR and likewise decisions and orders of the regional Soviets of Working People's Deputies if they do not conform to law;
f) In the intervals between sessions of the Supreme Soviet of the Belorussian SSR, releases and appoints Ministers of the Belorussian SSR, on the recommendation of the Chairman of the Council of Ministers of the Belorussian SSR, subject to subsequent confirmation by the Supreme Soviet of the Belorussian SSR;
g) Grants the rights of citizenship of the Belorussian SSR;
h) Confers titles of honour of the Belorussian SSR and grants awards;
i) Exercises the right of pardoning citizens convicted by judicial organs of the Belorussian SSR;
j) Appoints and recalls diplomatic representatives of the Belorussian SSR to foreign states;
k) Receives the letters of credence and recall of diplomatic representatives accredited to it by foreign states.

646 Art. 32. The Supreme Soviet of the Belorussian SSR elects a Credentials Committee to verify the credentials of the members of the Supreme Soviet of the Belorussian SSR.

On the report of the Credentials Committee, the Supreme Soviet of the Belorussian SSR decides whether to recognize the credentials of deputies or to annul their election.

Art. 33. The Supreme Soviet of the Belorussian SSR, when it deems necessary, appoints commissions of investigation and audit on any matter.

It is the duty of all institutions and officials to comply with the demands of such commissions and to submit to them all necessary materials and documents.

Art. 34. A member of the Supreme Soviet of the Belorussian SSR may not be prosecuted or arrested without the consent of the Supreme Soviet of the Belorussian SSR, or, when the Supreme Soviet of the Belorussian SSR is not in session, without the consent of the Presidium of the Supreme Soviet of the Belorussian SSR.

643 Art. 35. On the expiration of the term of office of the Supreme Soviet of
646 the Belorussian SSR, the Presidium of the Supreme Soviet of the Belorussian SSR orders new elections to be held within a period not exceeding two months from the date of expiration of the term of office of the Supreme Soviet of the Belorussian SSR.

Art. 36. On the expiration of the term of office of the Supreme Soviet of the Belorussian SSR, the Presidium of the Supreme Soviet of the Belorussian SSR retains its powers until the newly-elected Supreme Soviet of the Belorussian SSR shall have formed a new Presidium of the Supreme Soviet of the Belorussian SSR.

Art. 37. The newly-elected Supreme Soviet of the Belorussian SSR is convened by the outgoing Presidium of the Supreme Soviet of the Belorussian SSR not later than three months after the elections.

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[646] 645 Art. 38. The Supreme Soviet of the Belorussian SSR appoints the Government of the Belorussian SSR, namely, the Council of Ministers of the Belorussian SSR.

Chapter IV. The Organs of State Administration of the Belorussian Soviet Socialist Republic

Art. 39. The highest executive and administrative organ of state power of the Belorussian SSR is the Council of Ministers of the Belorussian SSR.

Art. 40. The Council of Ministers of the Belorussian SSR is responsible and accountable to the Supreme Soviet of the Belorussian SSR, or, in the intervals between sessions of the Supreme Soviet of the Belorussian SSR, to the Presidium of the Supreme Soviet of the Belorussian SSR.

Art. 41 The Council of Ministers of the Belorussian SSR issues decisions and orders on the basis and in pursuance of the laws in operation of the USSR and the Belorussian SSR, and of the decisions and orders of the Council of Ministers of the USSR, and verifies their execution.

Art. 42. Decisions and orders of the Council of Ministers of the Belorussian SSR are binding throughout the territory of the Belorussian SSR.

Art. 43. The Council of Ministers of the Belorussian SSR:

a) Coordinates and directs the work of the Ministries of the Belorussian SSR and of other economic and cultural[1] institutions under its jurisdiction; coordinates and verifies the work of the authorized representatives of the all-Union Ministries;

b) Prepares the national-economic plan of the Belorussian SSR, presents it to the Supreme Soviet of the Belorussian SSR for confirmation and adopts measures for its execution;

c) Prepares the state budget of the Belorussian SSR, presents it for confirmation to the Supreme Soviet of the Belorussian SSR and adopts measures for its execution;

d) Adopts measures for the maintenance of public order, for the protection of the interests of the state, and for the safeguarding of the rights of citizens;

e) Directs and verifies the work of the Executive Committees of the regional Soviets of Working People's Deputies;

f) Sets up, whenever necessary, special Committees and Central Administrations under the Council of Ministers of the Belorussian SSR for economic and cultural affairs;

g) Exercises guidance in the sphere of the relations of the Belorussian SSR with foreign states, on the basis of the general procedure established by the USSR governing the relations of Union Republics with foreign states;

h) Directs the organization of the military formations of the Belorussian SSR.

Art. 44. The Council of Ministers of the Belorussian SSR has the right to annul decisions and orders of Executive Committees of regional Soviets of Working People's Deputies and likewise to suspend decisions and orders of regional Soviets of Working People's Deputies.

The Council of Ministers of the Belorussian SSR has the right to annul orders and instructions of Ministers of the Belorussian SSR.

1 [Errata: should read "Republican and Union Republican Ministries"---Analyst]

2 [Errata: "economic and cultural" should be deleted---Anal

645 Art. 45. The Council of Ministers of the Belorussian SSR is appointed by the Supreme Soviet of the Belorussian SSR and consists of:
The Chairman of the Council of Ministers of the Belorussian SSR;
The Vice-Chairmen of the Council of Ministers of the Belorussian SSR;
The Chairman of the State Planning Commission of the Belorussian SSR;
The Ministers of the Belorussian SSR;
The Chief of the Arts Administration;
The Chairman of the Committee on Cultural and Educational Institutions.

Art. 46. The Ministers of the Belorussian SSR direct the branches of state administration which come within the jurisdiction of the Belorussian SSR.

Art. 47. The Ministers of the Belorussian SSR, within the limits of the jurisdiction of their respective Ministries, issue orders and instructions on the basis and in pursuance of the laws in operation of the USSR and the Belorussian SSR, of the decisions and orders of the Council of Ministers of the USSR and the Council of Ministers of the Belorussian SSR and of the orders and instructions of the Union-Republican Ministries of the USSR, and verify their execution.

Art. 48. The Ministries of the Belorussian SSR are either Union-Republican or Republican Ministries.

The following Ministries of the Belorussian SSR are Union-Republican Ministries of the Belorussian SSR:
The Ministry of Internal Affairs
The Ministry of State Control
The Ministry of State Security
The Ministry of Foreign Affairs
The Ministry of the Armed Forces
The Ministry of Cinematography
The Ministry of Light Industry
The Ministry of Forestry
The Ministry of the Timber and Paper Industry
The Ministry of the Meat and Dairy Industry
The Ministry of Public Health
The Ministry of the Building Materials Industry
The Ministry of the Food Industry
The Ministry of State Farms
The Ministry of Agriculture
The Ministry of Trade
The Ministry of Finance
The Ministry of Justice.

The following Ministries of the Belorussian SSR are Republican Ministries:
The Ministry of Social Maintenance
The Ministry of the Housing Construction Industry
The Ministry of Motor Transport
The Ministry of Furniture and Carpentry Industries
The Ministry of the Municipal Economy
The Ministry of Local Industry
The Ministry of the Local Fuel Industry
The Ministry of Education.

Art. 49. Each Union-Republican Ministry of the Belorussian SSR directs the branch of state administration of the Belorussian SSR entrusted to it, with the exception of only a limited number of enterprises, according to a list confirmed

645 by the Presidium of the Supreme Soviet of the USSR, and is subordinate both to the Council of Ministers of the Belorussian SSR and the corresponding Union-Republican Ministry of the USSR.

Art. 50. Each Republican Ministry of the Belorussian SSR directs the branch of state administration entrusted to it and is directly subordinate to the Council of Ministers of the Belorussian SSR.

Art. 51. The Government of the Belorussian SSR or a Minister of the Belorussian SSR to whom a question of a member of the Supreme Soviet of the Belorussian SSR is addressed must give a verbal or written reply in the Supreme Soviet of the Belorussian SSR within a period not exceeding three days.

Chapter V. The Local Organs of State Power

631 Art. 52. The organs of state power in regions, districts, cities, settlements and villages are the Soviets of Working People's Deputies.

Art. 53. The Soviets of Working People's Deputies of regions, districts, cities, districts in big cities, settlements and villages are elected by the working people of the respective regions, districts, cities, settlements and villages for a term of two years.

Art. 54. The Soviets of Working People's Deputies of regions, districts, cities, settlements and villages direct cultural, political and economic affairs on their territory, draw up the local budgets, direct the work of the organs of administration subordinate to them, ensure the maintenance of public order, assist in strengthening the defensive capacity of the country and ensure the observance of the laws and the protection of the rights of citizens.

Art. 55. The Soviets of Working People's Deputies adopt decisions and issue orders within the limits of the powers vested in them by the laws of the USSR and the Belorussian SSR.

Art. 56. The executive and administrative organ of the Soviet of Working People's Deputies of a region, district, city, settlement or village is the Executive Committee elected by it, consisting of a Chairman, Vice-Chairman, a Secretary and members.

[623] Art. 57. The executive and administrative organ of the Soviet of Working People's Deputies in a small locality is the Chairman, the Vice-Chairman and the Secretary elected by the Soviet of Working People's Deputies.

Art. 58. The Executive Committee of the Soviet of Working People's Deputies of a region, district, city, settlement or village exercises guidance in cultural, political and economic affairs within its territory on the basis of decisions taken by the corresponding Soviet of Working People's Deputies and superior state organs.

Art. 59. Sessions of regional Soviets of Working People's Deputies are convened by their respective Executive Committees not less than three times a year.

Sessions of district Soviets of Working People's Deputies are convened by their respective Executive Committees not less than four times a year.

Art. 60. Sessions of Soviets of Working People's Deputies of cities, districts in big cities, settlements and villages are convened by their respective executive organs not less than once a month.

631 Art. 61. The Soviets of Working People's Deputies of regions, districts, cities or districts in big cities each elect a Chairman and a Secretary for the duration of their sessions to conduct the sittings of the sessions.

[623] Art. 62. The Chairman of a settlement or village Soviet convenes the Soviet and conducts its sittings.

Art. 63. The executive organs of the Soviets of Working People's Deputies are directly accountable both to the Soviets of Working People's Deputies which elected them and to the executive organs of the respective superior Soviets of Working People's Deputies.

Art. 64. The superior Executive Committees of the Soviets of Working People's Deputies have the right to annul decisions and orders of inferior Executive Committees and to suspend decisions and orders of inferior Soviets of Working People's Deputies.

Art. 65. The superior Soviets of Working People's Deputies have the right to annul decisions and orders of inferior Soviets of Working People's Deputies and of their Executive Committees.

634 Art. 66. The regional Soviets of Working People's Deputies set up the following Departments and Administrations of their Executive Committees:

- a Department of Agriculture
- a Department of Finance
- a Department of Trade
- a Department of Public Health
- a Department of Public Education
- a Department of Local Industry
- a Department of Municipal Economy
- a Department of Social Maintenance
- a Department of Motor Transport
- a Department of Local Fuel Industry
- a Department of Roads
- a General Department
- a Department of Arts
- a Department of Village and Kolkhoz Building
- a Department of Cultural and Educational Institutions
- a Planning Commission
- a Cadres Sector

under the Chairman of the Chairman of the Executive Committee and, in addition, in accordance with the specific features of the economy of the Region, the regional Soviets of Working People's Deputies set up the following Departments, subject to confirmation by the Union-Republican Ministries of Light Industry, Food Industry, Timber Industry and State Farms:

- a Department of Light Industry
- a Department of Food Industry
- a Department of Timber Industry
- a Department of State Farms.

[625] Art. 67. The Ministry of Internal Affairs, the Ministry of State Security and the Ministry of Justice of the Union set up their own administrations under the regional Soviets of Working People's Deputies, in accordance with the conditions of the region and on the basis of the laws of the Union of Soviet Socialist Republics and the Belorussian Soviet Socialist Republic.

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634 Art. 68. The Departments and Administrations of the regional Soviets of Working People's Deputies are subordinate in their activities both to the corresponding regional Soviets of Working People's Deputies and their Executive Committees and to the corresponding Ministries of the Belorussian SSR.

632 Art. 69. The district Soviets of Working People's Deputies set up the following Departments of their Executive Committees:

- a Department of Village and Kolkhoz Building
- a Department of Cultural and Educational Institutions
- a Department of Roads
- a Department of Public Health
- a Department of Public Education
- a Department of Agriculture
- a General Department
- a Department of Social Maintenance
- a Department of Trade
- a Department of Finance
- a Planning Commission
- a Cadres Sector

under the Chairman of the Executive Committees and, in addition, in accordance with the specific features of the economy of the district, the district Soviets of Working People's Deputies set up the following Departments, subject to confirmation by the respective regional Soviets of Working People's Deputies:

- a Department of the Municipal Economy
- a Department of Local Industry.

Art. 70. The Ministry of Internal Affairs and the Ministry of State Security set up their Departments under the district Soviets of Working People's Deputies in accordance with the conditions of the district, on the basis of the laws of the USSR and the Belorussian SSR and subject to confirmation by the corresponding regional Soviet of Working People's Deputies.

Art. 71. The Departments of the district Soviets of Working People's Deputies are subordinate in their activities both to the district Soviets of Working People's Deputies and their Executive Committees and to the corresponding Departments of the regional Soviets of Working People's Deputies.

633 Art. 72. The city Soviets of Working People's Deputies set up the following Departments of their Executive Committees:

- a Department of Cultural and Educational Institutions
- a Department of Public Health
- a Department of the Municipal Economy
- a Department of Public Education
- a General Department
- a Department of Social Maintenance
- a Department of Trade
- a Department of Finance
- a Planning Commission
- a Cadres Sector

under the Chairman of the Executive Committee and, in addition, in accordance with the specific features of the city's industry and its municipal and suburban economy,

- a Department of Local Industry and
- a Department of Agriculture.

Art. 73. The Departments of the city Soviets of Working People's Deputies are subordinate in their activities both to the respective city Soviets of Working People's Deputies and their Executive Committees and to the corresponding

633 Departments of the district Soviets of Working People's Deputies or directly to the corresponding Departments of the regional Soviets of Working People's Deputies.

Art. 74. The Departments of city Soviets of Working People's Deputies of Baranovichi, Bobruisk, Borisov, Brest, Vileika, Vitebsk, Gomel, Grodno, Lida, Mogilev, Mozyr, Molodechno, Orsha, Pinsk, Polotsk, Rechitsa and Slutsk are subordinate in their activities both to the Soviets of Working People's Deputies of these towns and their executive committees as well as to the corresponding department of the regional Soviet of Working People's Deputies directly.

Art. 74a. The Departments of the city Soviet of Working People's Deputies of Minsk are subordinate in their activities both to the city Soviet of Workers' Deputies of Minsk and its Executive Committee as well as to the corresponding Ministry of the Belorussian SSR directly.

631 Art. 75. On the expiration of the terms of office of the regional, district, city, settlement or village Soviets of Working People's Deputies, their executive and administrative organs retain their powers until the newly elected Soviets shall have formed new executive and administrative organs.

Chapter VI. The Budget of the Belorussian Soviet Socialist Republic

652 646 Art. 76. The state budget of the Belorussian SSR is drawn up by the Council of Ministers of the Belorussian SSR and submitted by it to the Supreme Soviet of the Belorussian SSR for its approval.

[645] Upon its approval by the Supreme Soviet of the Belorussian SSR the state budget of the Belorussian SSR is published for general information.

Art. 77. The Supreme Soviet of the Belorussian SSR elects a Budget Commission, which reports its conclusions on the state budget of the Belorussian SSR to the Supreme Soviet.

Art. 78. The report on the fulfilment of the state budget of the Belorussian SSR is approved by the Supreme Soviet of the Belorussian SSR and published for general information.

652 631 Art. 79. The budgets of the regional, district, city, settlement and village Soviets include the revenues from the local economy, deductions from the state revenues collected within their territory and likewise receipts from local taxes and imposts in amounts fixed by the laws of the USSR and the Belorussian SSR.

Chapter VII. The Courts and the Procurator's Office

692 Art. 80. In the Belorussian SSR justice is administered by the Supreme Court of the Belorussian SSR, the Regional Courts, the Special Courts of the USSR established by decision of the Supreme Soviet of the USSR, and the People's Courts.

[693] Art. 81. In all Courts cases are tried with the participation of people's assessors, except in cases specially provided for by law.

Art. 82. The Supreme Court of the Belorussian SSR is the highest judicial organ of the Belorussian SSR. The Supreme Court of the Belorussian SSR is charged with the supervision of the judicial activities of all the judicial organs of the Belorussian SSR.

693 Art. 83. The Supreme Court of the Belorussian SSR is elected by the Supreme Soviet of the Belorussian SSR for a term of five years.

Art. 84. Regional courts are elected by regional Soviets of Working People's Deputies for a term of five years.

Art. 85. People's courts are elected by the citizens of the district on the basis of universal, direct and equal suffrage by secret ballot for a term of three years.

695 [563] Art. 86. Judicial proceedings in the Belorussian SSR are conducted in the Belorussian language, persons not knowing the language being guaranteed every opportunity of fully acquainting themselves with the material of the case through an interpreter and likewise the right to use their own language in court.

Art. 87. In all courts of the Belorussian SSR cases are heard in public, unless otherwise provided for by law, and the accused is guaranteed the right to be defended by counsel.

693 Art. 88. Judges are independent and subject only to the law.

Art. 89. Supreme supervisory power to ensure the strict observance of the law by all Ministries and institutions subordinated to them, as well as by officials and citizens within the territory of the Belorussian SSR generally, is exercised by the Procurator-General of the USSR directly and also through the Procurator of the Belorussian SSR.

Art. 90. The Procurator of the Belorussian SSR and the regional procurators are appointed by the Procurator-General of the USSR for a term of five years.

Art. 91. District and city procurators are appointed by the Procurator of the Belorussian SSR, subject to the approval of the Procurator-General of the USSR, for a term of five years.

Art. 92. The organs of the Procurator's Office perform their functions independently of any local organs whatsoever, being subordinate solely to the Procurator-General of the USSR.

Chapter VIII. Fundamental Rights and Duties of Citizens

461 641 Art. 93. Citizens of the Belorussian SSR have the right to work, that is, are guaranteed the right to employment and payment for their work in accordance with its quantity and quality.

The right to work is ensured by the socialist organization of the national economy, the steady growth of the productive forces of Soviet society, the elimination of the possibility of economic crises, and the abolition of unemployment.

Art. 94. Citizens of the Belorussian SSR have the right to rest and leisure.

The right to rest and leisure is ensured by the establishment of an eight-hour working day for factory and office workers, the reduction of the working day to seven or six hours for arduous trades and to four hours in shops where working conditions are particularly arduous, by the institution of annual vacations with full pay for factory and office workers and the provision of a wide network of sanatoria, rest-homes and clubs for the accommodation of the working people.

644 Art. 95. Citizens of the Belorussian SSR have the right to maintenance in old age and also in case of sickness and disability.

[657] This right is ensured by the extensive development of social insurance of factory and office workers at state expense, free medical service for the working people and the provision of a wide network of health resorts for the use of the working people.

[671] Art. 96. Citizens of the Belorussian SSR have the right to education. This right is ensured by universal, compulsory elementary education; by free education up to and including the seventh grade; by a system of State stipends for outstanding students in higher educational institutions; by instruction in schools being conducted in the native language and by the organization in the factories, state farms, machine and tractor stations and collective farms of free vocational, technical and agronomic training for the working people.

[502] Art. 97. Women in the Belorussian SSR are accorded equal rights with men in all spheres of economic, state, cultural, social and political life.

The possibility of exercising these rights is ensured to women by granting them an equal right with men to work, payment for work, rest and leisure, social insurance and education, and by State protection of the interests of mother and child, State aid to mothers of large families and to unmarried mothers, maternity leave with full pay, and the provision of a wide network of maternity homes, nurseries and kindergartens.

[563] Art. 98. Equality of rights of citizens of the Belorussian SSR, irrespective of their nationality or race, in all spheres of economic, State, cultural, social and political life, is an indefeasible law.

Any direct or indirect restriction of the rights of, or conversely, any establishment of direct or indirect privileges for, citizens on account of their race or nationality, as well as any advocacy of racial or national exclusiveness or hatred and contempt, is punishable by law.

[659] Art. 99. In order to ensure to citizens freedom of conscience, the church in the Belorussian SSR is separated from the State, and the school from the church. Freedom of religious worship and freedom of anti-religious propaganda is recognised for all citizens.

Art. 100. In conformity with the interests of the working people, and in order to strengthen the socialist system, the citizens of the Belorussian SSR are guaranteed by law:

(a) Freedom of speech;
(b) Freedom of the press;
(c) Freedom of assembly, including the holding of mass meetings;
(d) Freedom of street processions and demonstrations.

These civil rights are ensured by placing at the disposal of the working people and their organizations printing presses, stocks of paper, public buildings, the streets, communications facilities and other material requisites for the exercise of these rights.

575 641 Art. 101. In conformity with the interests of the working people, and in order to develop the organizational initiative and political activity of the masses of the people, citizens of the Belorussian SSR are ensured the right to unite in public organizations -- trade unions, co-operative associations, youth organizations,

575 641 sport and defence organisations, cultural, technical and scientific societies; and the most active and politically conscious citizens in the ranks of the working class and other sections of the working people unite in the Communist Party of the Soviet Union (Bolsheviks), which is the vanguard of the working people in their struggle to strengthen and develop the socialist system and is the leading core of all organisations of the working people, both public and state.

[694] Art. 102. Citizens of the Belorussian SSR are guaranteed inviolability of the person. No person may be placed under arrest except by decision of a court or with the sanction of a procurator.

Art. 103. The inviolability of the homes of citizens and privacy of correspondence are protected by law.

Art. 104. The Belorussian SSR affords the right of asylum to foreign citizens persecuted for defending the interests of the working people, or for their scientific activities, or for their struggle for national liberation.

Art. 105. It is the duty of every citizen of the Belorussian SSR to abide by the Constitution of the Belorussian Soviet Socialist Republic, to observe the laws, to maintain labour discipline, honestly to perform public duties, and to respect the rules of socialist intercourse.

[421] [685] Art. 106. It is the duty of every citizen of the Belorussian SSR to safeguard and strengthen public socialist property as the sacred and inviolable foundation of the Soviet system, as the source of the wealth and might of the country, as the source of the prosperity and culture of all the working people.

Persons committing offences against public socialist property are enemies of the people.

Art. 107. Universal military service is law.

Military service in the armed forces of the USSR is an honourable duty of the citizens of the Belorussian SSR.

[68] Art. 108. To defend the fatherland is the sacred duty of every citizen of the Belorussian SSR. Treason to the country -- violation of the oath of allegiance, desertion to the enemy, impairing the military power of the state, espionage -- is punishable with all severity of law as the most heinous of crimes.

Chapter IX. The Electoral System

666 Art. 109. Members of all Soviets of Working People's Deputies -- of the Supreme Soviet of the Belorussian Soviet Socialist Republic and the regional, district, city, settlement and rural Soviets of Working People's Deputies -- are chosen by the electors on the basis of universal, direct and equal suffrage by secret ballot.

Art. 110. Elections of deputies are universal; all citizens of the Belorussian SSR who have reached the age of 18, irrespective of race or nationality, sex, religion, educational and residential qualifications, social origin, property status or past activities, have the right to vote in the election of deputies and to be elected, with the exception of insane persons and persons who have been convicted by a court of law and whose sentences include deprivation of electoral rights.

[66] [64] Every citizen of the Belorussian SSR who has reached the age of 21, irrespective of race or nationality, sex, religion, educational and residential qualification, social origin, property status or past activities, has the right to be elected as a deputy of the Supreme Soviet of the Belorussian SSR.

Art. 111. Elections of deputies are equal: each citizen has one vote; all citizens participate in elections on an equal footing.

[52] Art. 112. Women have the right to elect and be elected on equal terms with men.

Art. 113. Citizens serving in the armed forces of the USSR have the right to elect and be elected on equal terms with all other citizens.

Art. 114. Elections of deputies are direct: all Soviets of Working People's Deputies, from rural and city Soviets of Working People's Deputies to the Supreme Soviet of the Belorussian SSR, inclusive, are elected by the citizens by direct vote.

Art. 115. Voting at elections of deputies is secret.

Art. 116. Candidates for election are nominated according to electoral areas.

The right to nominate candidates is secured to public organizations and societies of the working people: Communist Party organizations, trade unions, cooperatives, youth organizations and cultural societies.

Art. 117. It is the duty of every deputy to report to his electors on his work and on the work of the Soviet of Working People's Deputies, and he is liable to be recalled at any time upon a decision of a majority of the electors in the manner established by law.

Art. 118. Elections of deputies to Soviets of Working People's Deputies of the Belorussian SSR are held by election districts on the following basis:

in elections to regional Soviets - one deputy for every 10,000 to 15,000 of the population, depending upon its size;

in elections to district Soviets - one deputy for every 1,000 of the population; in a district whose population does not exceed 25,000, twenty-five deputies are elected, and in a district whose population exceeds 60,000, not more than sixty deputies are elected;

in elections to city Soviets or city district Soviets - one deputy for every 350 to 1,000 of the population, depending upon its size; in a city or city district whose population does not exceed 12,000, thirty-five deputies are elected;

in elections to village or settlement Soviets - one deputy for every 100 of the population; in a village or settlement whose population does not exceed 1,000, nine deputies are elected, and where the population exceeds 2,500, not more than twenty-five deputies.

The basis of representation for each regional, district, city, village and settlement Soviet of Working People's Deputies is fixed in the Ordinance Concerning Elections to Regional, District, City, Village and Settlement Soviets of Working People's Deputies of the Belorussian SSR, within the range of the bases of representation indicated in the present article.

[Constitution as of July, 1947]

Chapter X. Arms, Flag, Capital

186 Art. 119. The arms of the Belorussian SSR are a sickle and hammer, against the rays of the rising sun, and surrounded by ears of rye, intertwined on the left with clover and on the right, with flax; below, between the two sheaves is a part of the globe. Both sheaves are intertwined with a red band inscribed with "Workers of All Countries, Unite!" in the Belorussian and Russian languages and, below, with the initials "BSSR". Above the arms is a five-pointed star.

Art. 120. The state flag of the Belorussian Soviet Socialist Republic is a red cloth, with a gold sickle and hammer and a red, gold-bordered, five-pointed star above, and the gold letters "BSSR" above it in the upper corner, near the staff.

Art. 121. The Capital of the Belorussian SSR is the City of Minsk.

Chapter XI. Procedure for Amending the Constitution

642 Art. 122. The Constitution of the Belorussian SSR may be amended only by decision of the Supreme Soviet of the Belorussian SSR adopted by a majority not less than two-thirds of the votes of the Supreme Soviet.

Note: "Byelorussia" is now the correct spelling in English as accepted by the Committee for the Standardization of Geographical Names of the United Nations.

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000 This English translation was made from a Russian text published by the Supreme Soviet of the Byelorussian Soviet Socialist Republic in 1947.

1 [Errata: should read "below" -- Analyst]

113, 642 Belorussia RC1

[For comparisons of the Constitution of the Belorussian Soviet Socialist Republic of December 23, 1936, as amended through July 11, 1947, with other constitutions of the Sixteen Constituent Republics of the USSR, see 70: American Russian Institute, R1 Soviet Union, category 116.]

9: American Russian Institute RC1 Belorussia RC1
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[For the complete text of the Constitution of the Belorussian Soviet Socialist Republic of December 23, 1936, as amended through July 11, 1947, see cat. 116, entire source.]